

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RALPH ROMEO and KIRA MILO,

Plaintiffs,

-v-

JOHN E. ANDRUS MEMORIAL, INC., et al.,

Defendants.

USDS SDNY
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DATE FILED:

07 CV 2863 (KMK)

ORDER ADOPTING REPORT AND
RECOMMENDATION

KENNETH M. KARAS, U.S.D.J.:


On January 2, 2008, Magistrate Judge Smith entered a Report & Recommendation ("R&R") recommending that this Court dismiss this action without prejudice for failure to prosecute. (R&R (Dkt. No. 25) 5.) In the R&R, Magistrate Judge Smith provides notice that objections to her conclusions were due within thirteen working days. (*Id.* at 6.) In the spirit of understatement, the Court notes that this period has expired.

When no objections are filed, the Court reviews an R&R on a dispositive motion for clear error. *See Eisenberg v. New England Motor Freight, Inc.*, 564 F. Supp. 2d 224, 226 (S.D.N.Y. 2008). The Court has reviewed the R&R and finds no error, clear or otherwise. The Court therefore adopts the R&R in its entirety, and it is

ORDERED that this case is DISMISSED without prejudice. The Clerk of the Court is requested to close the case.

SO ORDERED.

DATED: White Plains, New York
March 4, 2010


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE